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General and complete disarmament: preventing the risk of radiological terrorism

Albania, Armenia, Austria, Belgium, Bulgaria, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Monaco, Netherlands, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Togo and United Kingdom of Great Britain and Northern Ireland: revised draft resolution

Preventing the acquisition by terrorists of radioactive materials and sources

The General Assembly,

Recognizing the essential contribution of radioactive materials and sources to social and economic development, and the benefits drawn from their use for all States,

Recognizing also the determination of the international community to combat terrorism, as evident in relevant General Assembly and Security Council resolutions,

Deeply concerned by the threat of terrorism and the risk that terrorists may acquire, traffic in or use radioactive materials or sources in radiological dispersion devices,

Recalling the importance of international conventions aiming at preventing and suppressing such a risk, in particular the International Convention for the Suppression of Acts of Nuclear Terrorism, adopted on 13 April 2005,[1] and the Convention on the Physical Protection of Nuclear Material, adopted on 26 October 1979, as well as its Amendment, adopted on 8 July 2005,

Noting that actions of the international community to combat the proliferation of weapons of mass destruction and prevent access by non-State actors to weapons of mass destruction and related material, notably Security Council resolution 1540

[1] Resolution 59/290, annex.

(2004) of 28 April 2004, constitute contributions to the protection against nuclear and radiological terrorism,

Stressing the importance of the role of the International Atomic Energy Agency in promoting and reinforcing the safety and security of radioactive materials and sources, in particular by supporting the improvement of national legal and regulatory infrastructure and by establishing technical guidance,

Taking note of the importance of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management[2] with respect to the safety of the end of life of radioactive sources,

Taking note also of the importance of the Code of Conduct on the Safety and Security of Radioactive Sources[3] as a valuable instrument for enhancing the safety and security of radioactive sources, while recognizing that the Code is not a legally binding instrument, and of the International Atomic Energy Agency Revised Action Plan for the Safety and Security of Radioactive Sources[4] and its Nuclear Security Plan for 2006-2009,[5]

Taking note further of resolutions GC(51)/RES/11 and GC(51)/RES/12, adopted by the General Conference of the International Atomic Energy Agency at its fifty-first regular session, which address measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management and measures to protect against nuclear and radiological terrorism,[6]

Welcoming the ongoing individual and collective efforts of Member States to take into account in their deliberations the dangers posed by the lack or insufficiency of control over radioactive materials and sources, and recognizing the need for States to take more effective measures to strengthen those controls in accordance with their national legal authorities and legislation and consistent with international law,

Welcoming also the fact that Member States have taken multilateral actions to address this issue, as reflected in General Assembly resolution 61/8 of 30 October 2006,

Welcoming further the contribution of the International Atomic Energy Agency International Conference on the Safety and Security of Radioactive Sources: Towards a Global System for the Continuous Control of Sources throughout Their Life Cycle, held in Bordeaux, France, from 27 June to 1 July 2005, to the activities of the Agency on these issues,

Mindful of the responsibilities of every Member State, in accordance with international obligations, to maintain effective nuclear safety and security, asserting that responsibility for nuclear security within a State rests entirely with that State, and noting the important contribution of international cooperation in supporting the efforts of States to fulfil their responsibilities,

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[2] United Nations, *Treaty Series*, vol. 2153, No. 37605.

[3] International Atomic Energy Agency, *Code of Conduct on the Safety and Security of Radioactive Sources* (IAEA/CODEOC/2004).

[4] GOV/2001/29-GC(45)/12, attachment.

[5] See GC(49)/17.

[6] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Forty-ninth Regular Session, 26-30 September 2005* (GC(49)/RES/DEC(2005)).

Mindful also of the urgent need for addressing, within the United Nations framework and through international cooperation, this rising concern for international security,

1. *Calls upon* Member States to support international efforts to prevent the acquisition and use by terrorists of radioactive materials and sources, and, if necessary, suppress such acts, in accordance with their national legal authorities and legislation and consistent with international law;

2. *Urges* Member States to take and strengthen national measures, as appropriate, to prevent the acquisition and use by terrorists of radioactive materials and sources, as well as terrorist attacks on nuclear plants and facilities which would result in radioactive releases, and, if necessary, suppress such acts, in particular by taking effective measures to account for, secure and physically protect such materials and sources in accordance with their international obligations;

3. *Encourages* Member States to enhance their national capacities with appropriate means of detection and related architecture or systems, including through international cooperation and assistance in conformity with international law and regulations, with a view to reflecting and preventing the illicit trafficking of radioactive materials and sources;

4. *Welcomes* the entry into force on 7 July 2007 of the International Convention for the Suppression of Acts of Nuclear Terrorism[1] and invites all Member States that have not yet done so to sign and ratify this instrument as soon as possible, in accordance with their legal and constitutional processes;

5. *Invites* Member States, in particular those producing and distributing radioactive sources, to support and endorse the efforts of the International Atomic Energy Agency to enhance the safety and security of radioactive sources, as described in GC(51)/RES/11 of the General Conference and to enhance the security of radioactive sources as described in the Agency's Nuclear Security Plan for 2006-2009,[5] urges all States to work towards following the guidance contained in the Agency's Code of Conduct on the Safety and Security of Radioactive Sources,[3] including, as appropriate, the guidance on the import and export of radioactive sources, noting that the guidance is supplementary to the Code, and encourages Member States to notify the Director General of the Agency of their intention to do so pursuant to resolution GC(48)/RES/10 of the General Conference of the Agency;[7]

6. *Recognizes* the value of information exchange on national approaches to controlling radioactive sources, and takes note of the endorsement by the Board of Governors of the International Atomic Energy Agency of a proposal for a formalized process for a voluntary periodic exchange on information and lessons learned and for the evaluation of progress made by States towards implementing the provisions of the Code of Conduct on the Safety and Security of Radioactive Sources;[3]

7. *Welcomes* the efforts undertaken by Member States, including through international cooperation under the auspices of the International Atomic Energy Agency, to search for, locate and secure unsecured and/or uncontrolled ("orphan") radioactive sources within their State jurisdiction or territory;

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[7] Ibid., *Forty-eighth Regular Session, 20-24 September 2004* (GC(48)/RES/DEC(2004)).

8. *Encourages* cooperation among and between Member States and through relevant international and, where appropriate, regional organizations aimed at strengthening national capacities in this regard;

9. *Decides* to include in the provisional agenda of its sixty-fourth session an item entitled "Preventing the acquisition by terrorists of radioactive materials and sources".